

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:22 CR 331
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
NORMAN DIAZ-CALIX,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Norman Diaz-Calix, which was referred to the Magistrate Judge with the consent of the parties.

On June 23, 2022 the government filed a 1 count Indictment, charging Defendant Norman Diaz-Calix with Illegal Re-entry, in violation of Title 8 U.S.C. § 1326.

On June 28, 2022 Magistrate Judge Parker held an arraignment, during which Mr. Diaz-Calix entered a plea of not guilty to the charges. On September 27, 2022 Magistrate Judge Parker received Defendant's plea of guilty to count 1 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Diaz-Calix is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the

plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Norman Diaz-Calix is adjudged guilty to count 1 of the Indictment, in violation of Title 8 U.S.C. § 1326. This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on January 4, 2023 at 11:00 a.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

October 5, 2022